

MAY 07 2024

SEAN F. McAVOY, CLERK
SPOKANE, WASHINGTON

District Court of the United States
Eastern District of Washington
Bryan Paul Hernandez, Plaintiff,
vs., Eric Carpenter,
Eastern State Hospital, Defendant.

No. 2:24-cv-00151-SAB
Complaint
Jury Demand?
Yes.

I. Jurisdiction:

Jurisdiction is proper because the events I am suing about occurred in this district. Venue is proper because this is an action between citizens of different states.

II. Allegations of Fact:

1. The defendant has a policy in effect that abridges the plaintiff's unalienable right to contract. Plaintiff is a civilly committed detainee within the defendant and this unconstitutional rule against "trades and transactions" between patients chills plaintiff's right to the pursuit of happiness. The consequences for violating the rule are swift and highly punitive. This is a major due process violation.
2. There is no internet access at all on the wards within defendant and 1 hour supervised computer use per week at the treatment mall within defendant for the Complaint — 1

plaintiff, who is pro-se in this civil commitment case. There is no functioning law library within defendant either. Such weekly computer access is conditioned on good behavior and can be taken away for any reason, per an unconscionable "adhesion" contract the plaintiff was forced to sign. Keep in mind internet access as a right is jus cogens, and thus binding on all states.

3. The amount of electronics is very limited within defendant. There are no personal computers, no cell phones, and only certain handheld game consoles (Nintendo Switches are allowed). However, there are certain games that need a large internet download to be played and due to the reasons set forth in paragraph 2, such is impossible. Moreover, no games rated M may be purchased by ESH or patients, and no R-rated movies may be purchased by ESH or patients. There are no patients under 18 in this facility.

4. The defendant recently enacted a policy prohibiting any packages

not mailed by a business to patients. Many patients including myself would have family send in clothes, books, snacks, games, et c. to make the stay bearable. Now our families have to shell out big money to get things now instead of going to goodwill and bringing it to us. Not every family is rich. This is another due process violation.

III Demand

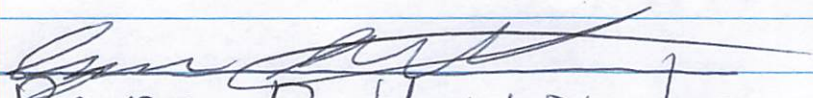
1. A declaration that the defendant's actions violated the laws and the Constitution of the United States;
 2. Monetary damages from Eric Carpenter, CEO of Eastern State Hospital in the amount of \$10 million;
 3. Temporary and permanent injunctions issued stopping the effect of the before described unconstitutional policies and compelling the defendant to provide patient internet access points throughout the hospital and allowing patients to have laptop computers. A temporary injunction should issue to prevent the irreparable loss of liberty that will inevitably result from such draconian policies.
 4. An attorney should be appointed
- Complaint - 3

to assist the plaintiff with the case.

IV. Affirmation

I, Bryan Paul Hernandez, do affirm, under penalty of perjury that the foregoing is true and correct.

DATED this 29th day of April 2024.


Bryan P. Hernandez